



DEPARTMENT OF THE NAVY

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

(b)(6), (b)(7)(c)

IN REPLY REFER TO:
5041/201303290
Ser N01IG/0311
24 Mar 14

MEMORANDUM

From: Inspector General (Acting) (N01IGB)
To: File

Subj: RECOMMENDATION FOR CLOSURE, NAVY HOTLINE CASE 201303290

Ref: (a) Defense Hotline Case Referral 20130123-016085-CASE-01
(b) Preliminary Inquiry of 15 Jan 14

Encl: (1) Draft Endorsement

1. Complaint: reference (a) tasks a complaint filed on 22 October 2013 with DoD IG by (b)(6), (b)(7)(c), U.S. Navy, (b)(6), (b)(7)(c). Complainant, who was confined in the Camp Hansen, Okinawa, Brig at the time of filing, alleged that (b)(6), (b)(7)(c) U.S. Navy, (b)(6), (b)(7)(c), committed "ethics violations" in connection with her pre-trial confinement after (b)(6), (b)(7)(c) apprehension on board (b)(6), (b)(7)(c), in that (b)(6), (b)(7)(c) failed to properly respond to a suicide attempt by (b)(6), (b)(7)(c), denied (b)(6), (b)(7)(c) access to the ship to get (b)(6), (b)(7)(c) personal belongings, purchased unneeded items for (b)(6), (b)(7)(c) seabag at the CFAY Navy Exchange, denied (b)(6), (b)(7)(c) access to a Chaplain, and did not verify that (b)(6), (b)(7)(c) had a minimum amount of funds in (b)(6), (b)(7)(c) bank account.

2. Disposition of Complaint. The case was received by NAVINSGEN and forwarded to COMPACFLT IG on 12 November 2013. On 28 December 2013, after consultation with COMPACFLT IG and Fleet Judge Advocate on this case and other related cases involving the same complainant and (b)(6), (b)(7)(c) pretrial confinement, the Deputy Commander, COMPACFLT tasked (b)(6), (b)(7)(c) via (b)(6), (b)(7)(c), (b)(6), (b)(7)(c) to conduct a preliminary inquiry. Reference (b) was endorsed by (b)(6), (b)(7)(c), (b)(6), (b)(7)(c) and further endorsed and forwarded to COMPACFLT (attention Force Judge Advocate) on 29 January 2014. A copy of the report was received by COMPACFLT IG on 12 February 2014.

3. Results of Inquiry: reference (b) appropriately summarizes the allegation investigated and the results of the inquiry. In

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brief, after interviewing the Subject and 12 other witnesses involved in complainants' pretrial confinement and analyzing relevant documents, the Investigating Officer (IO) found the complaint was without merit. The IO noted that (b)(6), (b)(7)(c) had been apprehended on board CFAY while in an unauthorized absence status and placed in pretrial confinement after (b)(6), (b)(7)(c) decided based on a record of numerous previous unauthorized absences that (b)(6), (b)(7)(c) presented a flight risk. Because CFAY lacks facilities for pretrial confinement of detainees arrangements were made to send to the Camp Hansen Brig as soon as possible. The IO further determined that (b)(6), (b)(7)(c) was never alone with (b)(6), (b)(7)(c) and that (b)(6), (b)(7)(c) behaved professionally and in an even-mannered way in (b)(6), (b)(7)(c) interactions with (b)(6), (b)(7)(c). With respect to the specific matters raised by (b)(6), (b)(7)(c) in (b)(6), (b)(7)(c) complaint, the IO made the following determinations:

- (b)(6), (b)(7)(c) alleged suicide attempt was assessed as attention-seeking behavior and was handled by CFAY Security Department personnel vice (b)(6), (b)(7)(c) who was not present at the time. (b)(6), (b)(7)(c) has a history of similar behaviors that appeared to follow occasions when (b)(6), (b)(7)(c) was facing disciplinary of administrative action.

- When apprehended, (b)(6), (b)(7)(c) told Security personnel (b)(6), (b)(7)(c) uniform items were in a friends' barracks room and never asked to go on board or obtain items from the ship. (b)(6), (b)(7)(c) did search for a locate some of (b)(6), (b)(7)(c) items on board the ship. The IO did find that unnecessary seabag items may have been purchased for (b)(6), (b)(7)(c) but determined that this resulted from confusion and lack of familiarity regarding items required for Navy brigs vice Marine Corps brigs.

- CFAY Security personnel promptly attempted to locate a Chaplain when requested by (b)(6), (b)(7)(c), but CFAY Chaplains were not immediately available and (b)(6), (b)(7)(c) refused to meet with a Chaplain assigned to (b)(6), (b)(7)(c). (b)(6), (b)(7)(c) made no attempt to hinder this process. A CFAY Chaplain cancelled a religious service to meet with (b)(6), (b)(7)(c) later in the day.

- Inventory documents showed that (b)(6), (b)(7)(c) possessed basic health and comfort items upon checking into the brig, and the Brig provides health and comfort items irrespective of command funding.

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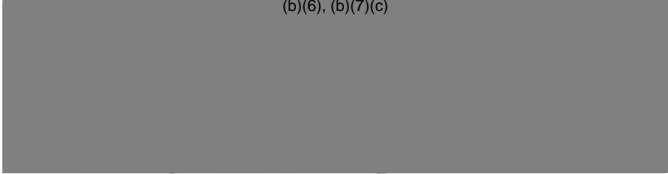
Subj: RECOMMEND CLOSURE NAVY HOTLINE CASE 201303290

The IO also recommended corrective action to ensure proper checklists are created for personnel undergoing confinement in these circumstances.

4. Analysis of Inquiry. After review of reference (b) I conclude the Investigating Officer conducted an adequately thorough inquiry and appropriately documented the evidence (b)(6) collected and (b)(6), (b)(7)(c) findings of fact. I further conclude that (b)(6), applied appropriate standards to the allegations and facts and conducted a reasonable analysis based on the evidence and standards, and that (b)(6) findings that the allegation was not founded was reasonable and correct.

5. Disposition. At the present time the COMPACFLT IG is TAD. Prior to (b)(6), (b)(7)(c) departure I discussed this case with (b)(6), (b)(7)(c) and (b)(6), (b)(7)(c) agreed with my analysis. I am accordingly forwarding the case to the Naval Inspector General for review with a recommendation to close this case with no further action.

(b)(6), (b)(7)(c)



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DEPARTMENT OF THE NAVY

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IN REPLY REFER TO:
5041/201303290
Ser N01IG/0316
24 Mar 14

THIRD ENDORSEMENT on Preliminary Inquiry Report of 15 Jan 14

From: (b)(6), (b)(7)(c)
To: Naval Inspector General

Subj: PRELIMINARY INQUIRY INTO DOD HOTLINE COMPLAINT NUMBER
20131023-016185-CASE-01

1. Subject preliminary inquiry is readdressed and forwarded.
2. We concur with the findings that the Subject of the complaint properly carried out (b)(6), (b)(7)(c) duties with respect to pretrial confinement of the complainant and that the allegations in the basic complaint are without merit.

3. Point of contact is (b)(6), (b)(7)(c), (b)(6), (b)(7)(c)
(b)(6), (b)(7)(c), at (b)(6), (b)(7)(c) or (808) 474 - (b)(6), (b)(7)(c).

(b)(6), (b)(7)(c)

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ENCLOSURE (1)